



Docket No. 409 **RECEIVED**

SEP 29 2003

TECH CENTER 1600/2300

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Meng Taing et al.

Serial No.: 09/976168

Filed: October 11, 2001

For: **FLUORESCENT NUCLEOBASE  
CONJUGATES HAVING ANIONIC  
LINKERS**

) Group Art Unit: 1637

) Examiner: Kenneth R. Horlick

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

September 8, 2003  
(Date of Deposit)

Desi Innocentio  
Name of Depositing Party

Desi Innocentio  
Signature of Depositing Party

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants submit herewith patents, publications or other information (listed on the attached Form PTO-1449) of which they are aware, which may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56.

This Information Disclosure Statement:

- (a) ☐ accompanies a new patent application submitted herewith.
- (b) ☐ is filed within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 CFR §1.491.
- (c) ☐ as far as is known to the undersigned, is filed before the mailing date of a first Office action on the merits.
- (d) ☐ as far as is known to the undersigned, is filed before the mailing date of a first Office action after the filing of a request for continued examination under § 1.114.

(e) ☒ is filed after the first Office Action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final action under §1.113, a notice of allowance under §1.311, whichever occurs first, and is accompanied by either the fee (\$180) set forth in 37 CFR §1.17(p) or a certification as specified in 37 CFR §1.97(e), as checked below. Should any fee be due, the U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 01-2213 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement. Any deficiency or overpayment should be charged or credited to this deposit account. **A duplicate of this sheet is enclosed.**

(f) ☐ is filed after the mailing date of either a final rejection or a notice of allowance, but on or before the payment of the issue fee, and is accompanied by the fee (\$180) set forth in 37 CFR §1.17(i)(1) **and** a certification as specified in 37 CFR §1.97(e), as checked below. **This document is to be considered as a petition requesting consideration of the information disclosure statement.** The U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 01-2213 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement. Any deficiency or overpayment should be charged or credited to this deposit account. **A duplicate of this sheet is enclosed.**

[If either of boxes (e) or (f) is checked above, the following "certification" under 37 CFR §1.97(e) may need to be completed.] The undersigned certifies that:

- ☐ Each item of information contained in the information disclosure statement was first cited in a communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this information disclosure statement.

A copy of the items on PTO-1449 is supplied herewith:

☒ each ☐ none ☐ only those listed below:

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR §1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR §1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR §1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR §1.98 and MPEP §609 and the Examiner is respectfully requested to consider the listed references.

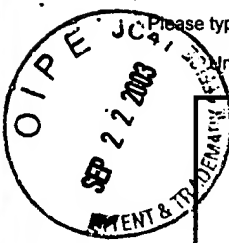
Respectfully submitted,

Date: 1/19/03

  
\_\_\_\_\_  
Vincent P. Liptak, Reg. No. 53,225  
Agent for Applicants

**Correspondence Address**

Customer Number 22896  
Applied Biosystems Division  
850 Lincoln Centre Drive  
Foster City, CA 94404  
(650) 638-6895 (Phone)  
(650) 638-6677 (Fax)



Please type a plus sign (+) inside this box. → +

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**RECEIVED**  
SEP 29 2003  
TECH. CENTER 1640

<div style="float: left; width: 40%;"><p>Substitute for form 1449A/PTO</p><h2 style="text-align: center;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h2><p style="text-align: center;">(Use as many sheets as necessary)</p></div> <div style="float: right; width: 60%; border: 1px solid black; padding: 5px;"><p style="text-align: center; margin: 0;"><b>Complete if Known</b></p><table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 40%;">Application Number</td><td>09/976,168</td></tr><tr><td>Filing Date</td><td>Oct. 11, 2001</td></tr><tr><td>First Named Inventor</td><td>Meng Tai et al.</td></tr><tr><td>Group Art Unit</td><td>1637</td></tr><tr><td>Examiner Name</td><td>Kenneth R. Horlich</td></tr><tr><td>Attorney Docket No.</td><td>4495 I1</td></tr></table></div>				Application Number	09/976,168	Filing Date	Oct. 11, 2001	First Named Inventor	Meng Tai et al.	Group Art Unit	1637	Examiner Name	Kenneth R. Horlich	Attorney Docket No.	4495 I1
Application Number	09/976,168														
Filing Date	Oct. 11, 2001														
First Named Inventor	Meng Tai et al.														
Group Art Unit	1637														
Examiner Name	Kenneth R. Horlich														
Attorney Docket No.	4495 I1														

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	01	5,986,086		Brush et al.	11-16-1999	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> <i>(if known)</i>				

OTHER ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	02	International Search Report from PCT/US01/31822 (July 22, 2002)	

Examiner Signature	Date Considered
--------------------	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>8</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

34316\_1